

EXHIBIT

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11

discussion off the record.)

(Whereupon the following proceedings were  
had back in the courtroom in the presence  
of the jury:)

DAVID DUPREZ

having been first duly sworn, was examined and testified  
as follows:

DIRECT EXAMINATION

BY MR. BERRONES:

Q Will you state your name, and spell your last  
name?

A David Duprez, D-u-p-r-e-z.

Q Are you employed?

A Yes, I am.

Q Who are you employed by?

A The City of Waukegan Police Department,  
currently assigned to the Detective Bureau.

Q How long have you been employed by the Waukegan  
Police Department?

A Little over 7 years.

Q Calling your attention to January 21st, 1986,  
were you employed as a Waukegan Police Officer?

A Yes, I was.

Q And on that date, did you have a conversation

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1 with an individual by the name of Bennie Starks?

2 A Yes, I did.

3 Q Where did that conversation take place?

4 A In the Waukegan Police Department interview  
5 room.

6 Q Who was present when you had that conversation?

7 A Myself and Mr. Starks.

8 Q Prior to speaking to Mr. Starks, or prior to  
9 anybody having any conversation with Mr. Starks, did you  
10 advise him of his rights?

11 A Yes, I did.

12 Q How was that done?

13 A In Waukegan, we have pre-printed forms that  
14 spell out the rights. Each individual one is read to  
15 him, asked he understand it, and at the bottom there's a  
16 waiver, which also is read to him, that says if he  
17 understands and agrees, go sign it, which he did.

18 Q Who read that form to him?

19 A Myself.

20 Q I'm showing you what's been marked as People's  
21 Exhibit Number 68 for Identification, and ask if you  
22 recognize that?

23 A Yes, I do. This is the signed waiver form,  
24 which I read to Mr. Starks.

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1 Q How are you able to recognize that as being the  
2 same rights waiver form?

3 A This is my signature on it, and the date, and  
4 Mr. Starks' signature on the bottom.

5 Q Did you observe the defendant sign the form?

6 A Yes, I did.

7 Q Is that form substantially in the same  
8 condition as when you read it to him, and observed him  
9 sign it, on January 21st, 1986?

10 A Yes, it is.

11 MR. BERRONES: Your honor, at this time, the state  
12 would ask that People's Exhibit Number 68 for  
13 Identification be admitted into evidence.

14 THE COURT: Any objection?

15 MR. BOYD: No.

16 THE COURT: It will be admitted into evidence.

17 Counsel, do you want to give it to me?

18 BY MR. BERRONES:

19 Q Was anybody else from the Waukegan Police  
20 Department present when you read Mr. Starks his rights?

21 A No, just -- between this period just Mr. Starks  
22 and myself.

23 Q After you'd read him his rights, did anybody  
24 else come into the room?

1           A     Then, an interview was turned over to Sergeant  
2     Biang from this point on.

3           Q     And did you stay in the room?

4           A     No, I didn't.

5           Q     You left?

6           A     Yes.

7           MR. BERRONES: I have no other questions.

8                 Excuse me a minute.

9     BY MR. BERRONES:

10          Q     Did you read Mr. Starks his rights at  
11     approximately 6:15 in the evening on January 21st?

12          A     Yes, I did.

13          Q     Approximately how long were you with him before  
14     Sergeant Biang came in?

15          A     A minute, two minutes.

16          MR. BERRONES: Okay. I have no other questions,  
17     judge.

18                         CROSS EXAMINATION

19     BY MR. BOYD:

20          Q     Officer, the defendant, Mr. Starks, came down  
21     to the police station voluntarily, didn't he?

22          A     Yes, he did.

23          Q     Okay. Did you have to send anybody to go get  
24     him?

1           A     No. I believe we asked all the men if you  
2 happen to run into Mr. Starks, if he'd want to come in,  
3 could you bring him in.

4           Q     And he came in?

5           A     Yes.

6           Q     Okay. And when you asked him if he wanted to  
7 make a statement, he complied?

8           A     I read --

9           Q     He said --

10          A     I read him his rights, and read him the waiver  
11 at the bottom, and said, do you understand it, yes, he  
12 signed it, and the interview, at this point, was turned  
13 over to Sergeant Biang.

14          MR. BOYD: Okay. Nothing further.

15          MR. BERRONES: No redirect, judge -- I have one  
16 question.

17                               REDIRECT EXAMINATION

18          BY MR. BERRONES:

19          Q     Officer Duprez, do you see Bennie Starks in the  
20 courtroom?

21          A     Yes, I do.

22          Q     Would you please point to him, and describe  
23 something he's wearing?

24          A     He's the smaller of the two black gentlemen

1 sitting at the bench to my right, wearing a lighter gray  
2 suit.

3 MR. BERRONES: I'd ask the record to reflect the  
4 witness identified the defendant.

5 THE COURT: The record will so show.

6 MR. BERRONES: No other questions, judge.

7 WILLIAM BIANG

8 Having been first duly sworn, was examined and testified  
9 as follows:

10 DIRECT EXAMINATION

11 BY MR. BERRONES:

12 Q Will you please state your name, and spell your  
13 last name?

14 A William Biang, B-i-a-n-g.

15 Q Are you employed?

16 A Yes, I am.

17 Q Who are you employed by.

18 A With of Waukegan Police Department.

19 Q How long have you been employed by the Waukegan  
20 Police Department?

21 A Eight and a half years..

22 Q What is your current position with them?

23 A Detective Sergeant.

24 Q Calling your attention to January 21st, 1986,